

B2  
ert  
tape or sponge.

Sub  
21  
15  
3  
18. A composition of claim [15] 21 wherein the peptide ligand is in a liquid medium.

### Response to Rejections and Objections

The sequence error report is noted. It is urged that the application does not list a sequence corresponding to all numbers 1 -117. There are 80 sequence listings. There are 80 sequences in the application. None are redundant. Hence, one of skill would have no problem identifying the particular sequences listed.

The examiner has urged that there is no sequence listing applied to the sequence at page 2, line 120. That sequence is a general formula and not a specific sequence. Hence, it falls outside of the listing required in the Patentin program.

The examiner has cited page 13, lines 37-39 as having a syntax error. It is not clear what error is believed to exist.

Claims 10-13, 15 and 18 have been amended to claim specific organisms from which the exemplified peptides are chosen. It is believed the extensive exemplification verifies that these claims are fully enabled. While the applicant believes that the general teaching encompasses the broader subject matter, the immediate industrial application makes it necessary at this time to seek particular ligands recited.

Claims 10-13, 15 and 18 (now 11-13, 18, 21 and 22) have been rejected under 35 U.S.C. 112, first paragraph, as not enabled in

AUG 18 2006

TECH CENTER 1600/2900

the specification. The rejection is respectfully traversed. The examiner has urged, at the middle of page 5 of the Office Action that the disclosure at page 7, lines 6-19 show that a 4-mer peptide is a poor ligand. The examiner misunderstands the significance of the teaching, which shows that the 5-mer peptide is quite capable of binding. In fact, that section of the reference clearly gives guidance that is quite meaningful for enablement. One of skill is thereby given very sound guidance.

Claims 1-13, 15 and 18 are reject under 35 U.S.C. 112, first paragraph as not described in such a way as to convey to one skilled in the art, at the time the specification was filed, had possession of the invention. First of all, the specification clearly teaches how to make and use the invention. The examiner is invited to explain with specificity exactly what steps are not understood. The use of the types of solid supports recited in the application are very common. One of ordinary skill would be expected to understand exactly how to make such supports.

Claims 10 - 13, 15 and 18 are rejected under 35 U.S.C. 112, second paragraph as failing to particularly point out and distinctly claim the invention. It is believed the rejection is based entirely on an issue of style. However, the claims have been amended to avoid the term "of matter". Hence, the rejection is moot.

Claims 12-13 have been rejected under 35 U.S.C. 112, second paragraph as indefinite with the assertion that they do not further limit the composition. The rejection is respectfully traversed.

A filter is not the same as a tape or a sponge. It is suggested that any store clerk, asked for a tape, a sponge and a filter, would not consider them the same.

Claims 10, 15 and 18 (now 21, 22 and 18) are rejected under 35 U.S.C. 102(b) as anticipated by Ezzell. The rejection is respectfully traversed. Ezzell uses a whole protein, not a peptide specifically selected for binding properties.

Claims 10 (now 22) - 13 have been rejected under 35 U.S.C. 102(e) as anticipated by Hutchens. The rejection is respectfully traversed. First, the section cited by the examiner has nothing to do with spores. In fact, it is not understood how the cited reference even relates to the instantly claimed invention. Enlightenment is requested.

Claims 10, 15 and 18 (now claims 21, 22 and 18) have been rejected under 35 U.S.C. 102(a) as anticipated by D'Mello. The rejection is respectfully traversed. The organisms discussed in that paper do not have spores. The relevance, in view of that distinction, is not seen.

It is believed the claims are now in condition for allowance. If discussion would facilitate prosecution of this application, the Examiner is invited to contact the Applicant's representative at (703) 425-8405.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Glenna Hendricks".

Glenna Hendricks, Reg. no. 32,535